

**Federal Defenders  
OF NEW YORK, INC.**

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*David E. Patton*  
Executive Director  
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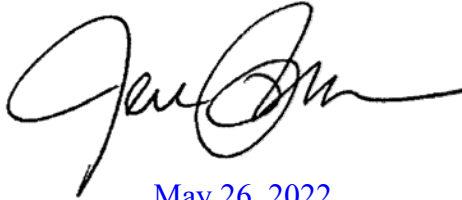
Southern District of New York  
*Jennifer L. Brown*  
Attorney-in-Charge

May 26, 2022

**VIA ECF**

Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
40 Centre Street, Room 2202  
New York, NY 10007  
Email: Furman\_NYSDChambers@nysd.uscourts.gov

Application GRANTED. The conference is hereby ADJOURNED to June 28, 2022, at 4:00 p.m. Time is hereby excluded from May 26, 2022, until June 28, 2022 for the reasons set forth in Defense counsel's letter. The Clerk of Court is directed to terminate Doc. #20.  
**SO ORDERED.**



May 26, 2022

**Re: United States v. David Vieser, 22 CR 101 (JMF)**

Dear Judge Furman:

I write to respectfully request that Mr. Vieser's June 2, 2022 conference be adjourned. For the reasons set forth below, Mr. Vieser requests a continuance of no more than 30 days. This is the second, and I anticipate final, request for a continuance. I have conferred with AUSA Matthew Weinberg and understand the government consents to this request. Further, if the Court's schedule permits it, the parties request that this matter be adjourned to the week of June 27-July 1, 2022.

On May 17, 2022, at the request of Pretrial Services and on the consent of all parties, the Court ordered Mr. Vieser to participate in 28-day residential substance abuse treatment at the Addiction Institute of Mt. Sinai Hospital. *See* ECF No. 18. Mr. Vieser entered that program the following day, on May 18, 2022 and I understand he is scheduled to be discharged on Wednesday, June 15, 2022. I therefore respectfully ask that his June 2, 2022 conference be adjourned until after he has completed this 28-day period of inpatient treatment.

In addition, as I informed the Court at the conference on February 18, 2022 and again in my letter dated March 30, 2022, *see* ECF No. 16, the defense is preparing a mitigation package in this case. That submission has taken longer than expected to finalize due to delays completing an evaluation of Mr. Vieser. However, I now anticipate submitting that package to the government **no later than next Friday, June 3, 2022**. Based on my conversations with the government, I request that the June 2, 2022 conference be adjourned no more than 30 days (approximately three-four weeks) in order for the government to review our submission and the parties to confer regarding a possible resolution in this matter.

Finally, I write to inform the Court that I am scheduled to start a multi-week trial before the Honorable Judge Gregory H. Woods on Tuesday, July 5, 2022.<sup>1</sup> Accordingly, if the Court's schedule permits, I request that this matter be adjourned to the week of June 27-July 1, 2022. The defense consents to excluding time under the Speedy Trial Act until the new date. As noted above, the government consents to this request.

Sincerely,

/s/ Hannah McCrea  
Hannah McCrea  
Assistant Federal Defender  
(646) 574-0351

CC: AUSAs Matthew Weinberg

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<sup>1</sup> *United States v. Ethan Melzer*, 20-cr-314 (GHW). In addition, I am unavailable for an in-person appearance June 13-24, 2022 due to prearranged travel outside of New York.